

## Planning Commission Actions

Regular Meeting

March 9, 2020 - 04:30 PM

Room 317, City Hall

**Members present:** Sam Rockwell (President), Alissa Luepke-Pier (Vice-President), Kimberly Caprini, Adam Duininck, Raya Esmaeili, Aneesha Marwah, Chris Meyer, Alyssa Olson, Jeremy Schroeder, and Amy Sweasy (Quorum - 6)

**Staff :** Lisa Kusz

### Call To Order

1. Roll Call.
2. Adoption of the agenda.
3. Acceptance of minutes of [Feb 24, 2020](#).

### Consent

4. **Appointment to the Zoning Board of Adjustment**

**City Staff:** [Brad Ellis](#)

The City Planning Commission recommended that the City Council approve the appointment of Joann Wang to the Zoning Board of Adjustment for a term to expire December 31, 2022.

[BOA appt Joann Wang](#)

### Public Hearing

5. **Waite Park Elementary School, 1800 34th Ave NE, Ward 1**

**City Staff:** [Mei-Ling Smith](#), PLAN10390

The City Planning Commission adopted staff findings for the application by Zach Finstrom of 292 Design Group.

#### **A. Conditional use permit.**

Action: **Approved** the conditional use permit amendment to allow a new entry vestibule at the existing k-12 school, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. All site improvements shall be completed by March 9, 2022, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.

4. All signs shall comply with Chapter 543 of the zoning code. All signage requires a separate permit from CPED.
5. The site and/or landscaping plan shall be amended to include a three-foot screen not less than 60 percent opaque along the entirety of the north parking lot frontage.
6. The walkways near the addition shall be widened, as proposed.
7. The applicant shall re-stripe the crosswalk in the north parking lot frontage in line with the walkway ramp from the sidewalk along 34th Ave NE.
8. All refuse and recycling containers and mechanical equipment shall be screened, per sections 530.70 and 530.80 of the zoning code, as proposed.

**Approved on consent.**

[1800 34th Ave NE](#)

6. **2219 Bryant Ave S, Ward 10**

**City Staff:** [Shanna Sether](#), PLAN10445

The City Planning Commission adopted staff findings for the application by Precipitate.

**A. Conditional use permit.**

Action: **Approved** the conditional use permit to allow four-unit, cluster development, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. The proposed structure shall meet at least 14 points as provided in Table 530-2 Standards for Single-, Two-, and Three-Family Dwellings.

**Aye:** Caprini, Duininck, Esmaeili, Luepke Pier, Marwah, Meyer, Olson, Schroeder, and Sweasy

**B. Variance.**

Action: **Approved** the variance to reduce the minimum lot area per dwelling unit from 1,500 sq. ft. to 1,466 sq. ft.

**Aye:** Caprini, Duininck, Esmaeili, Luepke Pier, Marwah, Meyer, Olson, Schroeder, and Sweasy

**C. Variance.**

Action: Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to reduce the north interior side yard setback from 7 ft. to 5 ft. for the proposed structure and from 7 ft. to 2 ft. for the eave, based on the following findings:

1. The entrance to the south is not considered a principal entrance.
2. The 2040 Plan has a series of goals around sustainability. Policies 67 and 68 call for decreased demand for energy, increased locally produced energy, and sustainable building materials.

3. There is Comprehensive Plan support for sustainable building practices, which are in conflict with the current zoning code.

**Aye:** Caprini, Duininck, Esmaeili, Luepke Pier, Marwah, Meyer, Olson, and Schroeder

**Nay:** Sweasy

**D. Variance.**

Action: Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to reduce the south interior side yard setback from 15 ft. to 7 ft. 3 in. to allow for a side entrance, from 5 ft. to 1 ft. to allow for an entrance landing, and from 7 ft. to 2 ft. for the eave, based on the following findings:

1. The entrance to the south is not considered a principal entrance.
2. The 2040 Plan has a series of goals around sustainability. Policies 67 and 68 call for decreased demand for energy, increased locally produced energy, and sustainable building materials.
3. There is Comprehensive Plan support for sustainable building practices, which are in conflict with the current zoning code.

**Aye:** Caprini, Duininck, Esmaeili, Luepke Pier, Marwah, Meyer, Olson, and Schroeder

**Nay:** Sweasy

**E. Variance.**

Action: Notwithstanding staff recommendation, the City Planning Commission **approved** the variance to reduce the rear yard setback from 7 ft. to 5 ft., based on the following findings:

1. The entrance to the south is not considered a principal entrance.
2. The 2040 Plan has a series of goals around sustainability. Policies 67 and 68 call for decreased demand for energy, increased locally produced energy, and sustainable building materials.
3. There is Comprehensive Plan support for sustainable building practices, which are in conflict with the current zoning code.

**Aye:** Caprini, Duininck, Esmaeili, Luepke Pier, Marwah, Meyer, Olson, and Schroeder

**Nay:** Sweasy

**F. Variance .**

Action: **Returned** the variance to increase the maximum lot coverage.

**Aye:** Caprini, Duininck, Esmaeili, Luepke Pier, Marwah, Meyer, Olson, Schroeder, and Sweasy

[2219 Bryant Ave S](#)

7. **2942 Oakland Ave, Ward 6**

**City Staff:** [Andrew Frenz](#), PLAN10371

The City Planning Commission adopted staff findings for the application by Seniors Center Adult Day Care, Inc.

**A. Conditional use permit.**

Action: **Approved** the conditional use permit to allow a development achievement center in the R4 Multiple Family District, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. All site improvements shall be completed by March 9, 2022, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
3. Approval of the final site, floor, and elevation plans by the Department of Community Planning and Economic Development.
4. As shown on the submitted site plan, paving which has been unlawfully added to the site shall be removed and shall be replaced with a vegetative ground cover per MCO 530.180.
5. As shown on the submitted site plan, a separately-delineated and ADA-accessible walkway will be provided connecting the building's principal entry to the public sidewalk.
6. Striping, wheel stops, and signage shall be provided to indicate the two off-street drop-off spaces on the site, which shall be oriented to be west-facing.
7. The provided drop-off spaces shall be utilized for drop-off, pick-up, and loading only and shall not be utilized for long-term parking, including by any commercial vehicles associated with the property, and shall be signed accordingly.

**Approved on consent.**

**B. Variance.**

Action: **Approved** the variance to reduce the required off-street parking from six off-street parking stalls and two drop-off spaces to four off-street parking stalls and two drop-off spaces.

**Approved on consent.**

[2942 Oakland Ave](#)

**8. 911 Lowry Ave NE, Ward 1**

**City Staff:** [Andrew Frenz](#), PLAN10245

The City Planning Commission adopted staff findings for the application by The Saint Anthony Group, LLC.

**Approved on consent.**

**A. Rezoning.**

Action: The City Planning Commission recommended that the City Council **approve** the petition to rezone the property located at 911 Lowry Ave NE from the R5 Multiple Family District to the OR2 High Density Office Residence District.

**Approved on consent.**

**B. Variance.**

Action: **Approved** the variance to reduce the minimum lot area for an office use in the OR2 High Density Office Residence District from 4,000 square feet to 3,250 square feet, subject to the following conditions:

1. All site improvements shall be completed by March 9, 2022, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
2. Approval of the final site and floor plans by the Department of Community Planning and Economic Development.

**Approved on consent.**

**C. Variance.**

Action: **Approved** the variance to reduce the west interior side yard setback from seven feet to 5.4 feet for an existing structure, subject to the following conditions:

1. All site improvements shall be completed by March 9, 2022, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
2. Approval of the final site and floor plans by the Department of Community Planning and Economic Development.

**Approved on consent.**

[911 Lowry Ave NE](#)

9. **2801 Hennepin Ave E, Ward 1**

City Staff: [Andrew Frenz](#), PLAN10230

The City Planning Commission adopted staff findings for the application by Mark Palm.

**A. Rezoning.**

Action: The City Planning Commission recommended that the City Council **approve** the petition to rezone the property located at 2801 Hennepin Ave E from the I1 Light Industrial District to the I2 Medium Industrial District.

**Approved on consent.**

**B. Conditional use permit.**

Action: **Approved** the conditional use permit to allow a major automobile repair (food truck conversion and service) use in the I2 Medium Industrial District, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. All vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
3. All repairs shall be performed within a completely enclosed building.
4. All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited.
5. The sale of vehicles shall be prohibited.
6. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of as vapors from the fill pipes.
7. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purposes of removing any litter found thereon.
8. Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

**Approved on consent.**

**C. Conditional use permit.**

Action: **Approved** the conditional use permit to allow a minor automobile repair (tire shop) use in the I2 Medium Industrial District, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. All vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
3. All repairs shall be performed within a completely enclosed building.
4. All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited.
5. The sale of vehicles shall be prohibited.
6. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of as vapors from the fill pipes.
7. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purposes of removing any litter found thereon.
8. Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

**Approved on consent.**

#### **D. Site plan review.**

Action: **Approved** the site plan review to allow new vehicle services uses, subject to the following conditions:

1. All site improvements shall be completed by March 9, 2022, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
3. The plant materials, and installation and maintenance of the plant materials, shall comply with section 530.200 and 530.210 of the zoning code.
4. The second-furthest east curb cut shall be eliminated and repaired.
5. A striped walkway of at least four (4) feet in width shall be provided connecting the south-facing entry to the major automobile repair and catering uses to the public sidewalk.
6. The paved area between the building and the public sidewalk adjacent to the second-furthest east curb cut shall be removed and replaced with landscaping.
7. The proposed bicycle parking shall be relocated so that it is within fifty (50) feet of a principal entrance and is visible from the public sidewalk.
8. The refuse containers located on the eastern portion of the property shall be screened with an enclosure of at least ninety-five (95) percent opacity and two (2) feet higher than the containers or six (6) feet in height, whichever is less.
9. The applicant shall submit a lighting plan demonstrating compliance with MCO 535.590.
10. Existing barbed wire fencing located within one hundred (100) feet of a residence district shall be removed. New barbed wire fencing is not permitted within one hundred (100) feet of a residence district.
11. A total of not less than sixty-two (62) shrubs shall be provided.
12. Existing paving shall be removed from the space between the eastern parking area and the public sidewalk. This space shall be planted with a vegetative ground cover and shall include not less than four (4) shrubs.
13. Wheel stops shall be provided for all off-street parking stalls adjacent to the south property line.

**Approved on consent.**

[2801 Hennepin Ave E](#)

#### **10. 616 12th Ave SE, Ward 3**

City Staff: [Lindsey Silas](#), PLAN10563

The City Planning Commission adopted staff findings for the application by Mike Swedahl.

#### **A. Conditional use permit.**

Action: **Approved** the conditional use permit to increase the maximum allowed height from 2.5 stories or 35 feet to 3 stories or 34.5 feet, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

2. The refuse and recycling containers shall be screened to comply with section 535.80 of the zoning code.

**Approved on consent.**

**B. Nonconforming use expansion.**

**Action: Approved** the expansion of a legal nonconforming use to allow a third-story addition to an existing six-unit building.

**Approved on consent.**

**C. Variance.**

Action: **Approved** the variance to increase the maximum floor area ratio from 0.5 to 0.9.

**Approved on consent.**

**D. Variance.**

Action: **Approved** the variance to reduce the minimum front yard setback along 12th Ave SE from 20 feet to 15.8 feet.

**Approved on consent.**

**E. Variance.**

Action: **Approved** the variance to reduce the minimum interior side yard setback along the south property line 9 feet to 8.5 feet, subject to the following conditions:

1. The applicant shall provide a six-foot screen that is at least 95 percent opaque between the parking spaces and the property to the south.

**Approved on consent.**

**F. Variance.**

Action: **Approved** the variance to reduce the minimum parking requirement from 15 spaces to 8 spaces, subject to the following conditions:

1. The maintenance driveway and curb cut to 12th Ave SE shall be removed.

**Approved on consent.**

**G. Site plan review.**

Action: **Returned** the site plan review for a third-story addition.

**Approved on consent.**

[616 12th Ave SE](#)



11. **1202 7th St SE, Ward 3**

City Staff: [Lindsey Silas](#), PLAN10564

The City Planning Commission adopted staff findings for the application by Mike Swedahl.

**A. Conditional use permit.**

Action: **Approved** the conditional use permit to increase the maximum allowed height from 2.5 stories or 35 feet to 3 stories or 34.5 feet, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. The refuse and recycling containers shall be screened to comply with section 535.80 of the zoning code.
3. The yard to the north of the surface parking spaces shall be landscaped as a landscaped yard.
4. The applicant shall provide a three-foot screen consisting of a masonry wall, fence, berm, hedge or combination thereof that is at least 60 percent opaque between the surface parking spaces and the street.
5. The applicant shall provide one tree provided between the surface parking spaces and the street.
6. The yard to the south of the surface parking spaces shall be landscaped as a landscaped yard.
7. The applicant shall provide a three-foot screen that is at least 60 percent opaque between the surface parking stalls and the south property line.

**Approved on consent.**

**B. Nonconforming use expansion.**

Action: **Approved** the expansion of a legal nonconforming use to allow a third-story addition to an existing six-unit building.

**Approved on consent.**

**C. Variance.**

Action: **Approved** the variance to increase the maximum floor area ratio from 0.5 to 0.92.

**Approved on consent.**

**D. Variance.**

Action: **Approved** the variance to reduce the minimum front yard setback along 12th Ave SE from 20 feet to 16 feet.

**Approved on consent.**

#### **E. Variance.**

Action: **Approved** the variance to reduce the minimum reverse corner front yard setback along 7th St SE from 20 feet to 15.6 feet, subject to the following conditions:

1. The yard to the north of the surface parking spaces shall be landscaped as a landscaped yard.
2. The applicant shall provide a three-foot screen consisting of a masonry wall, fence, berm, hedge or combination thereof that is at least 60 percent opaque between the surface parking spaces and the street.
3. The applicant shall provide one tree provided between the surface parking spaces and the street.

**Approved on consent.**

#### **F. Variance.**

Action: **Approved** the variance to reduce the minimum parking requirement from 15 spaces to 7 spaces, subject to the following condition:

1. The maintenance driveway and curb cut to 12th Ave SE shall be removed.

**Approved on consent.**

#### **G. Site plan review.**

Action: **Returned** the site plan review for a third-story addition.

**Approved on consent.**

[1202 7th St SE](#)

#### **Announcements**

12. Updates by CPED staff.

#### **Adjournment**

The meeting adjourned at 5:30 p.m.

**Notice:** A portion of this meeting may be closed to the public pursuant to MN Statutes Section 13D.03 or 13D.05

**Next Planning Commission meeting Date:** Mar 23, 2020

For reasonable accommodations or alternative formats please contact the Community Planning & Economic Development at 612-673-3710 or e-mail [lisa.kusz@minneapolismn.gov](mailto:lisa.kusz@minneapolismn.gov). People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users call 612-673-2157 or 612-673-2626. Para asistencia 612-673-2700 - Rau kev pab 612-673-2800 - Hadio aad Caawimaad u baahantahay 612-673-3500.